IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA CHARLOTTE DIVISION NO: 3:99CR109

UNITED STATES OF AMERICA, Plaintiff)	
vs.)	ORDER
FRANCISCO CURBELO,)	<u>OKDEK</u>
Defendant.)	
)	

THIS MATTER IS BEFORE THE COURT upon the receipt of a letter, dated September 13, 2005, from Francisco Curbelo, to United States Magistrate Judge David C. Keesler (the "Letter"). In the Letter, Mr. Curbelo, who is currently in custody, appears to allege certain rights violations and abuses of authority by government officials.

The record reflects that Mr. Curbelo is represented by appointed counsel, John Nickerson. It is the practice of this Court, when a defendant is represented by counsel, to rule on motions filed only by counsel of record. Therefore, if Mr. Curbelo has any matters he wishes this Court to consider, they must be submitted through his attorney.

IT IS, THEREFORE, ORDERED that Mr. Curbelo's letter requesting assistance is **DENIED** without prejudice to his right to re-file the motion, if appropriate, through his attorney, Mr. Nickerson.

The Clerk of Court is directed to send a copy of the Letter to Mr. Nickerson, along with his copy of this Order.

IT IS SO ORDERED.

¹ The Letter was received via mail on September 15, 2005.

Signed: September 19, 2005

David C. Keesler
United States Magistrate Judge